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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,539

10/16/2003

Kevin T. Foley

5074A-000067

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27572 7590 07/23/2007
HARNESSE, DICKEY & PIERCE, P.L.C.
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EXAMINER

KISH, JAMES M

ART UNIT

PAPER NUMBER

3737

MAIL DATE

DELIVERY MODE

07/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/687,539	FOLEY ET AL.	
	Examiner	Art Unit	
	James Kish	3737	

All participants (applicant, applicant's representative, PTO personnel):

- (1) James Kish. (3) Michael Taylor.
 (2) Brian Casler. (4) _____.

Date of Interview: 18 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 1, 19 and 22.


Identification of prior art discussed: Acker (US 6,332,089) and Foley (US 6,226,548).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussion of proposed amendments to independent claims 1 and 22. It was determined by the Examiner that the proposed amendments did not overcome the prior art of record. It was suggested to claim more specifically the uses of the navigational system (e.g. for use with the vertebrae). Upon the Office receiving formally submitted amendments, an updated search is required before allowability can be determined.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 BRIAN L. CASLER
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 3700

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required